

### REMARKS

The last Office Action has been carefully considered.

It is noted that in the Examiner's opinion the present application contains claims related to two different inventions, namely to a casting method and to a casting apparatus, and the Examiner required a restriction of this application to one of the inventions.

With the present Amendment applicant first of all submitted claim 15 which is another independent claim related to a casting apparatus. Claim 15 is substantially similar to claim 1 and contains a similar language with the exception of the fact that claim 1 defines a method and is written in a method claim language, while claim 15 defines a device and is written in an apparatus claim language.

In the present communication applicant has provisionally elected the invention drawn to a casting method.

Claims 1-7 and 15 are related to this invention, and it is respectfully requested to prosecute them further. At the same time the

Examiner's election requirement is respectfully traversed for the following reasons.

The present application is a U.S. national phase application based on the original PCT application. In accordance with the PCT regulations, in particular Rule 13, a single application can contain different inventions, namely a method and an apparatus, which have a common inventive idea. It is respectfully submitted that the method of claim 1 and the apparatus of claim 8 definitely have a common inventive idea. This is particularly true with claims 1 and 15, since claim 15 includes exclusively such elements of the apparatus which perform the corresponding steps of the method of claim 1.

As was decided in the decision *Caterpillar Tractor Co. v. Commissioner of Patents and Trademarks* (reported in 231 USPQ 590), the prosecution of U.S. application has to follow Rule 13 of PCT regulations.

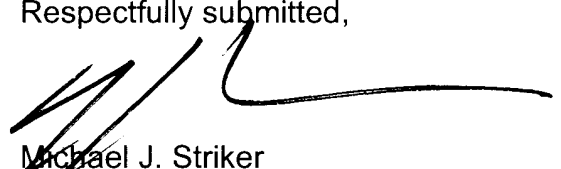
It is therefore respectfully requested to retain in this application both inventions and to further prosecute all claims currently on file.

Consideration of the present application on the merits and its

allowance is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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